

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MAKSIM LUTSKOV,

Petitioner,

v.

LOIS RUSSO,

Respondent.

Civil Action No. 04-12601-PBS

**ASSENTED-TO MOTION FOR ENLARGEMENT OF TIME
TO FILE RESPONSIVE PLEADINGS
TO PETITION FOR WRIT OF HABEAS CORPUS**

The respondent, Lois Russo, with the assent of the petitioner, Maksim Lutskov, hereby respectfully requests that this Court grant her an enlargement of time within which she must file an answer or motion to dismiss the petition for a writ of habeas corpus for a period of thirty days, up to and including February 14, 2005.¹ In support of the motion, the respondent states that, pursuant to this Court's order, an answer or other responsive pleading is currently due to be filed by January 13, 2005. The undersigned assistant attorney general is awaiting receipt of the state materials concerning the petitioner's conviction, which are necessary for counsel to review before formulating an appropriate response to the petition, particularly with respect to the question of whether the petitioner's claim is exhausted.

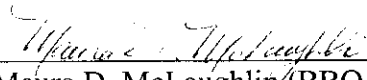
¹ February 14th is the first business day after the expiration of the thirty-day period requested in this motion.

The petitioner has assented to this motion, and granting the motion will not unduly delay the proceedings nor will it prejudice any party.

WHEREFORE, the respondent respectfully requests that this Court grant her until February 14, 2005, to file a responsive pleading to the petition for writ of habeas corpus.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

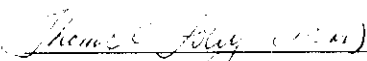


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Assented:

MAKSIM LUTSKOV

By his attorney,

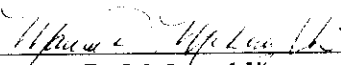


Thomas C. Foley, Esq.

Dated: January 5, 2005

Certificate of Service

I hereby certify that on January 5, 2005, I caused a copy of the above document to be served by first-class mail, postage prepaid, upon counsel for the petitioner, Maksim Lutskov, at the following address: Thomas C. Foley, Esq., Attorney at Law, P.O. Box 2187, South Hamilton, Massachusetts 01982.


Maura D. McLaughlin